IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.5345 OF 2004

Popat Tatyaba Randive).. Petitioner

Versus

The Deputy Engineer, Minor Irrigation)
Survey and Investigation, Zilla Parishad)
Satara and another).. Respondents

Mr.V.V.Pai for the Petitioner.

Mr.S.K.Chinchalikar, A.G.P., for Respondent No.2.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 3RD AUGUST 2004

P.C.:

. Complaint (ULP) No.143 of 1992 has been rejected by the Labour Court, Satara vide its order dated 2nd February 1996 since there is a delay of almost four years in filing the Complaint after the discontinuation of work from 1st October 1989. The Labour Court has found no reasons have been stated in the application for condoning the delay except that attempts were being made by the Petitioner to secure employment. The Industrial Court, Satara vide its order dated 8th January 2004 passed in Revision Application (ULP) No.94 of 1997 has concurred with the findings of the Labour Court that the Complaint is barred by limitation.

2. Despite Mr.Pai’s submissions that it is a practice of the Court to condone the delay in such cases of Muster Assistants, I see no reason to condone the same. Even in the Writ Petition there is no mention made as to why the Complaint was filed after over about four years. Therefore, it is difficult to condone such a long delay. Hence, Petition rejected.

3. The Petitioner can always make an application under the Schemes of the Government available for employment.